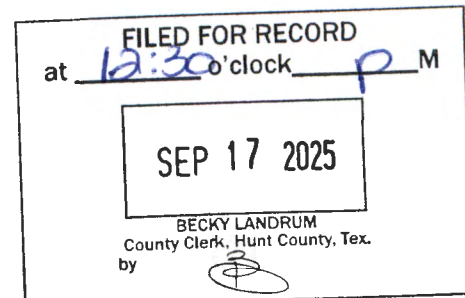


ORDER # 19,702



AN ORDER OF THE HUNT COUNTY COMMISSIONERS COURT DISAPPROVING THE REDHAWK PRELIMINARY PLAT APPLICATION UNDER THE REQUIREMENTS OF TEXAS LOCAL GOVERNMENT CODE SECTION 232.

WHEREAS, the Hunt County Commissioners Court has jurisdiction over subdivision plat approval in the unincorporated area of Hunt County under Texas Local Government Code ("TLGC") Chapter 232; and

WHEREAS, the County received and deemed complete the Redhawk subdivision preliminary plat application on August 19, 2025; and

WHEREAS, under TLGC § 232.0025(d), the County must act within 30 calendar days of receipt of a completed application by: (i) approving, (ii) approving with conditions, or (iii) disapproving; and

WHEREAS, this Order provides the County's decision within the statutory period and states the specific, non-arbitrary reasons with citations to applicable statutes, regulations, and County orders, as required by TLGC § 232.0026(a)–(b).

BE IT ORDAINED BY THE COMMISSIONERS COURT OF HUNT COUNTY, TEXAS:

I. Findings

The statements contained in the preamble to this Order are true and correct and are hereby adopted as findings of fact and as part of the operative provision hereof.

II. REASONS FOR DISAPPROVAL (NON-VARIANCE ITEMS)

Each ground below is directly related to requirements prescribed by or under Chapter TLGC Section 232 and Hunt County's duly adopted "Subdivision and Land Development Regulations" ("SLDR") and its "Engineering Standards Manual" ("ESM"). See also generally TLGC §§ 232.002(a), 232.0026(a)–(b), 232.003, 232.101(a). Additional details can be found in the attached letter from the engineering firm retained by the County for review of this preliminary plat application that is to be read in conjunction with this Order.

1. Preliminary Plat Format Noncompliance

- a. SLDR § 4.02.E.1 (Sheet Size/Scale): The submitted sheets do not meet the requirements.
- b. SLDR § 4.02.E.1.h (Vicinity Map): The submitted maps do not meet the requirements.
- c. SLDR § 4.02.E.1.p.i (Floodplain Statement): The submitted floodplain statement does not match required SLDR verbiage.
- d. SLDR § 4.02.E.1.p.ii (Permanent Benchmarks): The submitted benchmarks do not meet the requirements.

2. Roadway Design & Safety Noncompliance / Access & Circulation / Sight Distance

- a. SLDR § 5.02B.3.a (Block Length): The block length as shown does not meet the requirements. See also Variance Request 2 below.
- b. SLDR § 5.02.C & Table 5 (Driveway Spacing): The lots listed do not have adequate frontage to meet requirements.
- c. SLDR § 5.02.G (Collector ROW): The ROW for Redhawk Drive shown is insufficient to meet the requirements.
- d. SLDR § 5.02.F.10.b (Local-Road Offsets): Local roads do not provide the required offset to meet the requirements.
- e. SLDR § 5.02.F.11.a.ii (Cul-de-Sacs): The number of plats on a cul-de-sac does not meet the requirements. See also Variance Request 1 below.
- f. SLDR § 5.02.F.12.a (Feeder Roads): Roads would be classified as a Feeder Road or a Arterial Street such that documentation provided is insufficient to determine compliance with requirements.
- g. SLDR § 5.04.A (Frontage): The Frontage as shown does not meet the requirements. See also Variance Request 4 below.
- h. SLDR § 5.04.C (Building Setback): The setback as shown does not meet the requirements.
- i. SLDR § 5.05.D (Triangular Sight Visibility Easement): The CR 2656/CR 2664 intersection lacks the required 30' sight-visibility easement.

3. Drainage / Floodplain / Easements / Permits

- a. ESM § 1.5.1 (Clean Water Act § 404): Documentation provided is insufficient to determine compliance with requirements.
- b. ESM § 1.5 (TxDOT Permitting): Documentation provided is insufficient to determine compliance with requirements.
- c. ESM § 1.6.1 (Preliminary Drainage Design/Easements): As no easements were provided and information related previously non-existing access point insufficient to determine compliance with requirements.
- d. ESM § 7.4.7.1 (Centerline Radius): Streets have non-conforming centerline radii and do not meet requirements.

- e. ESM § 7.4.7.1 (Centerline Approach Tangent): Street is a collector and does not meet the requirements.
 - f. ESM § 5 and SLDR §Passim (e.g. § 13.03) (Floodplain Analysis Discrepancies): Flood study references ponds and documentation provided is insufficient to determine compliance with requirements.
 - g. ESM § 5 and SLDR §Passim (e.g. § 13.03) (Analysis for Discharge): Information provided on discharge is insufficient to determine compliance with requirements.
 - h. ESM § 5 and SLDR §Passim (e.g. § 13.03) (Results for specified flow comparison points): Missing technical data for flow-comparison points are insufficient to determine compliance with requirements.
4. Utilities and Supporting Documentation
- a. The letters submitted by the applicant with respect to water service for the subdivision do not satisfy the requirements set forth in SLDR Section 10.02 nor those set forth in Texas Water Code Section 16.343. Specifically, the letter provided does not reflect a commitment by Caddo Basin SUD to provide potable water service. Furthermore, no entity has committed to providing wastewater gathering and treatment. The materials presented therefore fail to demonstrate that the subdivision will be furnished with the required water and wastewater utilities, as the utility commitments and supporting plans are incomplete or insufficient to meet the standards established by the County's Subdivision Regulations and Texas Water Code Section 16.343 that require that water in adequate quality and quantity and will be made available and extended to the point of delivery for all lots in the subdivision.

Administrative Completeness under County Standards

Result on Non-Variance Items: Failure to cure the format/content defects above (sheet size/scale, vicinity maps, floodplain note, benchmarks, sight easements, and referenced notes) results in noncompliance with SLDR § 4.02.E, warranting disapproval under TLGC § 232.002(a). For the reasons above, the preliminary plat does not meet requirements "prescribed by or under Chapter 232," and approval must be refused under TLGC § 232.002(a). Written reasons and citations are provided in compliance with § 232.0026(a)–(b).

III. VARIANCE REQUESTS — DETERMINATIONS

As part of the preliminary plat application, the Applicant submitted a request for five (5) variances to be granted. Each determination for the variance requests below is directly related to

the County's subdivision regulations/standards and applicable statutes; the reasons are non-arbitrary and include legal citations as per TLGC § 232.0026(a)–(b).

Variance Request 1. "Increase the number of lots served by a cul-de-sac from the maximum 15 lots to 21 lots on Redtail Drive."

Disapproved / Variance Denied. The request to increase the number of lots served by a single cul-de-sac on Redtail Drive from fifteen (15) to twenty-one (21) conflicts with Hunt County Subdivision and Land Development Regulations § 5.02.F.11, a safety-based street-network standard adopted under the County's authority to promote "safe, orderly, and healthful development" and to adopt reasonable road specifications. Tex. Loc. Gov't Code §§ 232.101(a) (general subdivision authority), 232.003 (street/road and drainage specifications). The Commissioners Court must ground plat decisions in applicable law and provide written reasons and citations; this denial is issued under §§ 232.0026(a)–(b). The developer's reliance on § 232.103 is misplaced: that section authorizes minimum lot-frontage standards on existing county roads and does not limit the County's cumulative power to enforce internal street-layout standards such as § 5.02.F.11. Tex. Loc. Gov't Code §§ 232.103, 232.107 (Subchapter E powers are cumulative). Maintaining the 15-lot cap advances emergency access and circulation; the Legislature's emergency-access policy for very large subdivisions (§ 232.0034) likewise reflects the State's interest in multiple access points and manageable dead-end loads. Tex. Loc. Gov't Code § 232.0034(b)–(c).

Variance Request 2. "Allow a block to provide frontage for more than twelve lots."

Disapproved / Variance Denied. This variance sought to allow a block to provide frontage for more than twelve (12) lots, which contravenes the County's subdivision regulation § 5.02.B.3. The Commissioners Court has clear legal authority to enforce this standard: under Texas Local Government Code (TLGC) § 232.002(a), the Court may refuse to approve a plat that fails to meet requirements prescribed by law; TLGC §§ 232.003 and 232.101 likewise empower the County to adopt reasonable subdivision rules to promote public health, safety, and orderly development; and TLGC § 232.107 confirms that these powers are cumulative of all other subdivision authority. Accordingly, the 12-lot block frontage limit in § 5.02.B.3 was lawfully adopted to advance public safety and sound planning objectives. This standard ensures that blocks remain reasonably short, thereby providing sufficient intersections for emergency access, dispersing traffic flow, and maintaining a connected, orderly neighborhood layout. The applicant's contrary interpretation of TLGC § 232.103 is incorrect. Section 232.103 is permissive, not exclusive. The statute merely authorizes counties to establish minimum lot-frontage standards on existing county roads and

does not prohibit the County from enforcing block layout rules on new internal subdivision streets. Moreover, TLGC § 232.107 explicitly states that the Subchapter E powers (including § 232.103) are cumulative and do not limit the County's other subdivision regulatory authority. For these reasons, Variance Request 2 is denied.

Variance Request 3. "Reduce the minimum centerline radius for local streets from 335 feet to 250 feet."

Disapproved / Variance Denied. This request is denied for non-compliance with the Hunt County ESM § 7.4.7.1 and ESM Table 11, which require a minimum centerline radius of 335 feet for local subdivision streets. This standard is designed to ensure geometric consistency with a 30 mph design speed and to maintain adequate stopping sight distance and vehicle safety under normal conditions, in accordance with standard engineering practice and AASHTO guidelines. The County has clear statutory authority to require compliance with such infrastructure standards under Texas Local Government Code §§ 232.003(4), (5), and (8), which permit counties to adopt reasonable street design specifications and to require that street and drainage systems conform to established engineering norms. While the applicant cites that tighter radii may be allowed in some municipalities (e.g., Greenville, Caddo Mills), those jurisdictions operate under different legal frameworks (TLGC Chapter 212), and the County is entitled to adopt its own standards consistent with rural subdivision needs and road maintenance responsibilities. Hunt County's 335-ft minimum radius is consistent with how it designs and maintains its own local roads, and applying it uniformly also ensures compliance with TLGC § 232.0031 (requiring parity between developer-built and County-built roads of similar type). Therefore, Variance Request 3 is denied pursuant to ESM § 7.4.7.1, and TLGC §§ 232.002(a), 232.003(4)–(5), and 232.0031.

Variance Request 4. "Reduce the minimum lot frontage from 80 feet for lots less than 1 acre."

Disapproved / Variance Denied. The request conflicts with Hunt County Subdivision & Land Development Regulations § 5.04.A, which requires a minimum of 80 feet of frontage for lots under one acre. This frontage standard serves access and safety objectives—adequate driveway spacing and sight distance, space for utilities and fire protection appurtenances, and avoidance of substandard/flag-lot configurations—and was adopted under the County's authority to promote safe, orderly, and healthful development under TLGC § 232.101(a). Because the plat, as proposed, does not meet this requirement, the County must refuse approval. TLGC § 232.002(a) (and this written reason is provided in compliance with § 232.0026(a)–(b)). As above for Variance Request 2, the applicant's contrary interpretation of TLGC § 232.103 is incorrect. Section 232.103

is permissive, not exclusive. The statute merely authorizes counties to establish minimum lot-frontage standards on existing county roads and does not prohibit the County from enforcing block layout rules on new internal subdivision streets. Moreover, TLGC § 232.107 explicitly states that the Subchapter E powers (including § 232.103) are cumulative and do not limit the County's other subdivision regulatory authority. For these reasons, Variance Request 4 is denied.

Variance Request 5. "Reduce the side yard setback adjacent to roadways, from 25 feet to 15 feet."

Disapproved / Variance Denied. The request to reduce the roadway-adjacent side-yard setback from twenty-five (25) feet to fifteen (15) feet conflicts with Hunt County Subdivision and Land Development Regulations § 5.04.C (25-ft building/setback line adjacent to roadways). Counties have express statutory authority to establish and enforce road-adjacent building and setback lines in subdivision regulation; TLGC Subchapter E provides that a county "may establish reasonable building and set-back lines as provided by Chapter 233." Tex. Loc. Gov't Code § 232.104 (see also §§ 233.032–.036). The Commissioners Court provides written reasons and citations as required by §§ 232.0026(a)–(b). The fact that some municipalities allow smaller setbacks is legally irrelevant to county platting under Chapter 232; the County applies its own duly adopted standards.

IV. Proportionality / Off-Site Improvements (If Applicable)

Hunt County requires, as a condition of approval for a property development project that a developer bear a portion of the costs of county infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs. A developer's portion of these costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by Hunt County.

As demonstrated in the attached letter from the professional engineer who has been retained by Hunt County, the applicant's proposed proportionality dedication for the subdivision roads CR 2656 and CR2664 is insufficient to meet County standards and the requirements established under Texas Local Government Code § 232.003 and § 232.101 and does not sufficiently meet the requirements of bearing a proportionate share of the development costs as required under TLGC § 232.110. The dedication does not adequately address the need for safe and efficient off-site improvements and fails to provide for the proportionate share of infrastructure necessary to serve the increased traffic and access

demands generated by the development. As such, the proposed dedication does not fulfill the County's proportionality obligations and does not ensure compliance with applicable subdivision regulations and engineering standards.

V. ORDER

IT IS THEREFORE ORDERED that the Redhawk Preliminary Plat Application is DISAPPROVED pursuant to TLGC §§ 232.002(a), 232.0026, for the specific reasons stated in Sections II and III of this Order, which are directly related to requirements of Chapter 232 and Hunt County's duly adopted subdivision regulations and engineering standards, and are not arbitrary.

VI. NOTICE OF APPLICANT'S STATUTORY RIGHTS

The applicant may submit a written response that satisfies each stated reason for disapproval; the County is not imposing a deadline for such response.

If the applicant decides to submit a written response to this disapproval, the County shall approve or disapprove within 15 days, and may disapprove only for a reason previously stated in this Order (unless the resubmittal introduces new non-compliance).

VII. CLERK'S ATTESTATION; EFFECTIVE DATE

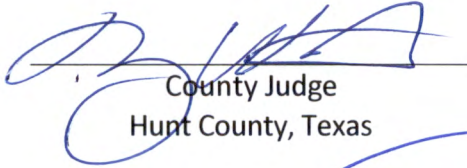
This Order is effective upon adoption and shall be entered in the minutes of the Commissioners Court.

The County Clerk shall provide a copy of this Order to the Applicant/Engineer of Record and to the Hunt County Development Office.

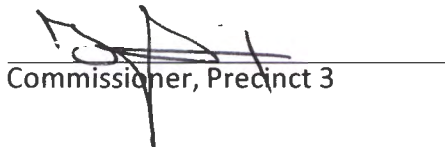
VIII. VOTE AND SIGNATURES

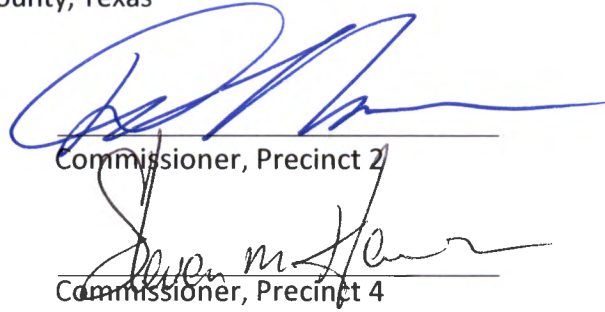
PASSED AND ADOPTED on this _____, by the Hunt County Commissioners Court.

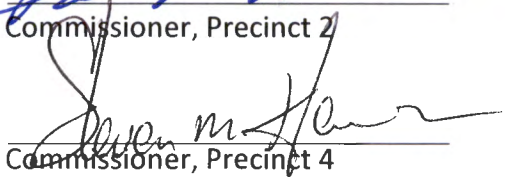
- Motion by: ~~Commissioner, Precinct~~ Judge Stovall
- Second by: Commissioner, Precinct 2
- Vote: Ayes 5 | Nays 0 | Abstentions 0 | Absent 0


County Judge
Hunt County, Texas

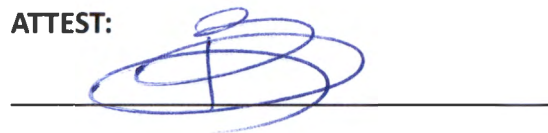

Commissioner, Precinct 1


Commissioner, Precinct 3


Commissioner, Precinct 2


Commissioner, Precinct 4

ATTEST:


Becky Landrum, Hunt County Clerk

APPROVED AS TO FORM:

Daniel Ray, Hunt County Attorney